Public Notice – Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (Board) is considering the approval of Twenty-nine Total Maximum Daily Load (TMDL) reports (90 TMDLs) and Ten TMDL modifications (20 TMDLs), and granting authorization to include the TMDL reports in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The Board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve Twenty-nine TMDL reports as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: February 16, 2009 to March 16, 2009

Description of proposed action: DEQ staff intends to recommend 1) that the State Water Control Board approve the TMDL reports listed below as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and 2) that the State Water Control Board authorize inclusion of the TMDL reports in the appropriate WQMPs. No regulatory amendments are required for these TMDLs and their associated waste load allocations.

The TMDLs listed below were developed in accordance with Federal Regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved

all TMDL reports presented under this public notice. The approved reports can be found at https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.jspx

Affected Waterbodies and Localities:

In the Potomac/Shenandoah River Basin:

"Bacteria TMDL for Neabsco Creek, Prince William County, Virginia"

- 1 bacteria TMDL, located in Prince William County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Potomac River: (Popes Head Creek) Mattox creek to Currioman Bay
Total Maximum Daily Load (TMDL) Report for Shellfish Condemnation Areas
Listed Due to Bacteria Contamination"

- 1 bacteria TMDL, located in Westmoreland County, proposes bacteria reductions for portions of the watershed to address a VDH Shellfish Area Condemnation.

"Rosier Creek Total Maximum Daily Load (TMDL) Report for Shellfish Condemnation Areas Listed Due to Bacteria Contamination"

- 1 bacteria TMDL, bcated in Westmoreland County, proposes bacteria reductions for portions of the watershed to address a VDH Shellfish Area Condemnation.

"Yeocomico River Watersheds Total Maximum Daily Load (TMDL) Report for Shellfish Condemnation Areas Listed Due to Bacteria Contamination"

- 5 bacteria TMDLs, located in Westmoreland and Northumberland Counties, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Bacteria TMDL for the Lower Accotink Creek Watershed"

- l bacteria TMDL, located in Fairfax County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Bacteria TMDL for the Difficult Run Watershed"

- l bacteria TMDL, located in Fairfax County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Lower Machodoc Creek Watershed: Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacterial Contamination"

- 5 TMDLs, located in Westmoreland County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Bacteria TMDL for Limestone Branch Loudoun County, Virginia" modification

- 1 bacteria TMDL modification, located in Loudoun County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Bacteria TMDLs for the Goose Creek Watershed" modification

- 1 bacteria TMDL modification, located in Loudoun County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Fecal Coliform TMDL for Muddy Creek, Virginia" modification

- 1 bacteria TMDL modification, located in Rockingham County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Bacteria TMDLs for Abrams Creek and Upper and Lower Opequon Creek Located in Frederick and Clarke County, Virginia" modification

- 1 bacteria TMDL modification, located in Rockingham County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Bacteria Total Maximum Daily Load Development for North River" modification

- 1 bacteria TMDL modification, located in Augusta and Rockingham Counties, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

In the New River Basin:

"Fecal Bacteria and General Standard Total Maximum Daily Load Development for Bluestone River" modification

- l bacteria TMDL modification, located in Tazewell County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

In the Rappahannock River Basin:

"Bacteria Total Maximum Daily Load (TMDL) Development for the Hoskins Creek Watershed"

- 1 bacteria TMDL, located in Essex and Queen and King Counties, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment.

"Bacteria TMDL for the Tidal Freshwater Rappahannock River Watershed"

- 6 bacteria TMDLs, located in Caroline, King George, Spotsylvania, and Stafford Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

In the York River Basin:

"Bacteria Total Maximum Daily Load (TMDL) Development for the Queen Creek, King Creek, and Felgates Creek Watersheds"

- 5 bacteria TMDLs, located in Isle of Wight County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and VDH Shellfish Area Condemnations.

"Bacteria Total Maximum Daily Load Development for the Pamunkey River Basin" modification

- 1 bacteria TMDL modification, located in Louisa County, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments

In the Clinch Powell River Basin:

"Bacteria Total Maximum Daily Load Development for Lick Creek"

- 4 bacteria TMDLs, located in Wise and Dickenson Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Bacteria Total Maximum Daily Load Development for Indian Creek in Tazewell County, Virginia"

- 1 bacteria TMDL, located in Tazewell County, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

In the James River Basin:

"Bacterial Total Maximum Daily Load Development for the James River – Hopewell to Westover"

- 4 bacteria TMDLs, located in Charles City County, City of Hopewell, and Prince George County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Total Maximum Daily Load Development for the James River and Tributaries – Lower Piedmont Region"

- 6 bacteria TMDLs, located in Fluvanna, Goochland, Louisa, Powhatan and Cumberland Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Fecal Bacteria Total Maximum Daily Load Development for Warwick River"

- 4 bacteria TMDLs, located in the City of Newport News, York County, and James City County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and to address VDH Shellfish Area Condemnations.

"Fecal Bacteria Total Maximum Daily Load Development for Pagan River"

- 3 bacteria TMDLs, located in Isle of Wight County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and VDH Shellfish Area Condemnations.

"Bacteria Total Maximum Daily Load Development for Hays Creek, Moffatts Creek, Walker Creek, and Otts Creek in Augusta County and Rockbridge County, Virginia"

- 5 bacteria TMDLs, located in Augusta and Rockbridge Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Total Maximum Daily Load Development for the Upham Brook Watershed"

- 1 bacteria TMDL, located in Henrico County and the City of Richmond, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Bacteria Total Maximum Daily Load Development for North Fork Hardware River and Hardware River"

- 2 bacteria TMDLs, located in Albemarle and Fluvanna Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Bacteria TMDL Development for the Rivanna River Mainstem, North Fork Rivanna River, Preddy Creek and Tributaries, Meadow Creek, Mechums River, and Beaver Creek Watersheds"

- 6 bacteria TMDLs, located in Albemarle Greene, and Orange Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Total Maximum Daily Load Development for the Appomattox River Basin" modification

- 11 bacteria TMDL modifications, Appomattox, Buckingham Prince Edward, Cumberland, Amelia, Powhatan, Chesterfield, Hopewell, Prince George, and Chesterfield Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

In the Roanoke River Basin:

"*Bacteria TMDL Development for the Dan River, Blackberry Creek, Byrds Branch, Double Creek, Fall Creek, Leatherwood Creek, Marrowbone Creek, North Fork Mayo River, South Fork Mayo River, Smith River, Sandy Creek, and Sandy River Watersheds"*

- 13 bacteria TMDLs, located in Carroll, Floyd, Franklin, Halifax, Henry, Mecklenburg, Patrick, and Pittsylvania Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Bacteria TMDL Development for the Banister River, Bearskin Creek, Cherrystone Creek, Polecat Creek, Stinking River, Sandy Creek, and Whitehorn Creek Watersheds" modification

- 1 bacteria TMDL modification, located in Halifax and Pittsylvania Counties, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

In the Chowan River Basin:

"Bacteria TMDL for the Flat Rock Creek Watershed and Broad Branch
Lunenburg County, Virginia"

- 2 bacteria TMDLs, located in Lunenburg County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Bacteria TMDL for Roses Creek Watershed, Virginia" modification

- 1 bacteria TMDL modification, located in Brunswick and Alberta Counties, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

In the Chesapeake Bay-Small Coastal-Eastern Shore Basin:

"Total Maximum Daily Load (TMDL) Report For Shellfish Waters Impaired by Bacteria East River and Put in Creek"

- 2 bacteria TMDLs, located in Mathews County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Bacteria Total Maximum Daily Load (TMDL) Development for the Hungars Creek Watershed"

- 2 bacteria TMDLs, located in Mathews County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Bacteria Total Maximum Daily Load (TMDL) Development for the Messongo Creek Watershed"

- 2 bacteria TMDLs, located in Mathews County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Cockrell Creek: Total Maximum Daily Load (TMDL) Report for Shellfish Condemnation Areas Listed Due to Bacteria Contamination"

- 1 bacteria TMDL, located in Northumberland County, proposes bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations.

"Fecal Coliform Total Maximum Daily Load Development for Holdens Creek, Sandy Bottom Branch, and Unnamed Tributary to Sandy Bottom Branch, Accomack County, Virginia"

- 3 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and VDH Shellfish Area Condemnations.

"Total Maximum Daily Load of Bacteria for Pettit Branch in Accomack County, Virginia"

- 1 bacteria TMDL, located in Accomack County, proposes bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments.

"Total Maximum Daily Load on Dissolved Oxygen In Unnamed Tributary to Pitts Creek, Accomack County, Virginia"

- 1 dissolved oxygen TMDL, located in Accomack County, proposes total nitrogen and total phosphorus reductions for portions of the watershed to address the benthic impairment.

How to comment: The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision.

To review documents: The TMDL reports and TMDL implementation plans are available on the DEQ web site at https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.jspx and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information:

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